App. F. IX-4

1934. (Law.)

File No. 140-34
Serial Nos. 5-6

Previous References
Law 140-34-1-4

PRESERVED

tter References.
Law 140-34-7

Preserve

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. Two.

Part B for Sept '35

SUBJECT.

The Stamp Duty paid in Connection with the renewal of the Kolar Gold mining leases.

6) To Mr D. C. Blake

WD 03607—GPB—22,500—2-8-35

No. P 1975 dt 20-9-35.
Informs that there is no need to enter into any further correspce with the solicitors

Dr. Abdul Azeez
1-11-35

FINANCIAL BRANCH
-6 AUG. 1935
GENL & REV. SECTT.

From.

The Dy. Comr

No. S. D. R. 89/34-35 dt 30.7.35 forwards a copy of the letter dt 16.7.35 from M Menesh and Hamza, Solicitors for the Gold mining Companies and requests to furnish the information as to how the basic and supplemental royalty has arrived at.

Ref.ce para 29-35 of the notes in the file put up below

1) It does not seem to be desirable to f information required by the Co.

Subt. for orders

JSD 6/8

2) For favour of furnishing the actual amount of basic & supplemental royalty paid by the 4 gold mining companies for the year 1934

Jun Rev

3) Forwarded with compliments to the Comptroller for favour of furnishing the requ information

7.8.35

W.O. 2/62
7/8/35

153

File No. of 193 .

General and Revenue Secretariat

163/Rec

U.O.No.285/Books. Dated 26th August 35.

Returned with compliments.

2. The amounts realised towards basic royalty and Royalty on Dividends for the calendar year 1934, i.e., in respect of gold produced during the calendar year 1934 are noted below. It may be noted in this connection that the Royalty on Dividends for 1934 is calculated, according to the new agreement, at 2/3 of the rate that would be applicable beyond 1940.

Name of the Company.	Basic Royalty. Rs.	Royalty on Dividends. Rs.	Total. Rs.
1. The Mysore Gold Mining Company. ..	4,18,221	1,52,954	5,71,175
2. The Champion Reef ,,	3,02,614	1,51,840	4,54,454
3. The Oorgaum ,,	2,29,031	38,064	2,67,095
4. The Nandydrug ,,	5,10,113	7,04,626	12,14,739
Total.	14,59,979	10,47,484	25,07,463 (a)

(a) In addition, we have received the following amounts:-

(i) Rs.1,000/- in July 34 towards Royalty for removal of sand tailings from the bed of Sonnakuppam tank.

(ii) Rs.238-4-0 in November 1934 towards Royalty on confiscated gold.

Comptroller.

H.A.

This may be transferred to the Law department

Law

28-8-35

FINANCIAL SECRETARY 27 AUG. No.

FINANCIAL BRANCH 28 AUG. 1935 GEN. REV.

General and Revenue Secretariat | Law File No. | of 1935. | [App. F. III—2

Serial No.

The figures furnished by the Comptroller agree with those given in the Dev. Secy's note of 10.4.35 (vide para 29 in the Law file placed below). This statement may perhaps be sent to the DC Nlne.

JSD 31/8

31 AUG. 1935 636

I see no need for the Deputy Comr now to explain to the Solicitors the grounds of his decision –

A draft reply is put up for consideration.

Gen Secy
Dev Secy } 31/8

A. to the Comrs Bungalow. 31/8

1616 13/9/35

I Draft
this
Dev Secy

12/9

13/9

Mr Jayakrishna Kutty discuss this with me

12.9

Discussed with Mr Jayakrishna. Draft reply to be submitted

17.9.

17/9

OFFICE OF THE FINANCE MEMBER OF COUNCIL 17 SEPT. 1935 2153

18 SEP 1935 4-45 REV. SECTN.

NOTE—Contd. Sheet.

WD 03594—GPB—30,000—18-7-35

17/9

18.9.

18/9

In all future communications please quote
No. Stamp Duty Regr. No. 89/34-35.
Enc. One.

Tel. Address.—"DEPCOM"
Post Box No. 34.

OFFICE OF THE DEPUTY COMMISSIONER,
BANGALORE DISTRICT.

Dated, Bangalore, the 18th September *19.*

FROM

A.V. Ramanathan Esq., B.A.,
Deputy Commissioner,
Bangalore District.

To

H.V. Ramaswami Esq., M.A., B.L.
General *Secretary,*
to the Government of Mysore.

SIR,

Subject

In continuation of this office letter Stamp Duty Regr. No. 89/34-35 dated 31-7-35 regarding valuation of Stamp Duty on mining leases of K.G.F., I have the honour to forward herewith another letter dated 17-9-35 received from Messrs. Moresby and Thomas ur for a reply and to request that early orders of Government may kindly obtained and intimated very early.

I have the honour to be,
Sir,
Your most obedient Servant

Deputy Commissioner,
Bangalore District.

Asst. Law
Please speak
ITM

Law
Please put up the file.
RNS. 18/9.
20/9/35

Sub: wire re file
Reply to the DC. was issued on 20.9.35.
Gen Secy

INWARD REGISTRY
21 SEP. 1935
676

STRICTLY CONFIDENTIAL.

In all future communications please quote
No. S.D.R.No. 89/34-35.
Enc

Tel. Address.—"DEPCOM"
Post Box No 34.

OFFICE OF THE DEPUTY COMMISSIONER,
BANGALORE DISTRICT.

Dated, Bangalore. the 30th July 1935

Law 140-34-S

FROM

A. V. Ramanathan, Esq., B.A.,
Deputy Commissioner,
Bangalore District.

FINANCIAL BRANCH
-3 AUG. 1935
541
GENL & REV. SECTT.

To

H. V. Ramaswami, Esq., M.A., B.L.,
General *Secretary,*
to the Government of Mysore.
Bangalore.

SIR,

Subject:—

I have the honour to forward herewith copy of letter dated the 16th July 1935 from Messrs. Moresby and Thomas, Solicitors and Notaries, Madras requesting to furnish a statement showing precisely what manner the figures under basic royalty and supplemental royalty (based on figures for 1934) have been arrived at, I have the honour to state that stamp duty on the mining leases was calculated on the basis of figures furnished in your letter No. P. 5971 dated 26/27-4-1935. The stamp duty so calculated amounted to Rs 1,15,635-8-0. The authorities of the Company are contending that the value of the documents taken for purposes of calculation of stamp duty is very high and based on actual figures of basic royalty etc., paid by the Companies to the Government of Mysore for the year 1934, and they paid the stamp duty fixed on 5-6-1935 under protest to the Imperial Bank to the Dewan's account. They have now asked for the particulars as to how the basic royalty and supplemental royalty (based on figures for 1934) have been arrived at. This information is not available in this Office. As the Company has asked for the said information, I request you to kindly arrange to furnish the same at an early date for being sent to the Company for their information. Copy of this Office order dated 14/20-5-1935 is also enclosed.

I have the honour to be
Sir,
Your most obedient servant,

Deputy Commissioner,
Bangalore District.

SRD/30-7-35.

Copy of letter dated the 16th July 1935, from Messrs. Moresby & Thomas, Solicitors & Notaries, High Court House, Madras, to the Deputy Commissioner, Bangalore District

---

New Kolar Leases.

With reference to the statement showing the stamp duty fixed in respect of the lease annexed to your Order dated the 14/20th May 1935 our clients desire to be supplied with a statement showing precisely in what manner the figures contained under the heading " Basic royalty, supplemental roytalty, ground rent and cesses (based on figures for 1934)" have been arrived at. You have already furnished us with the particulars in regard to ground rent and cesses. Will you now be good enough to furnish us with the figures relating to royalty and supplementa royalty.

" C o p y "

Deputy Commissioner,
Bangalore District.

SRD/30-7-3..

Office of the Deputy Commissioner,
Bangalore District.
Dated, Bangalore the 14th May 1935.

Reference:--

Application dated 27-3-1935 from Messrs. Morsby and Tomas, Solicitors, Madras, regarding the adjudication of stamp duty under Sec.31 of the Mysore Stamp Regulation, ~~of the Mysore Stamp duty~~ payable on agreements to lease and deeds of variation, and on leases executed by the marginally noted Gold Mining Companies Kolar Gold Fields.

Order.

The documents in respect of which adjudication of stamp duty is asked for comprise 20 agreements to lease and deeds of variation, and 20 leases executed by the marginally noted four Gold Mining Companies.

Mysore Gold Mining Company, Ltd.
Champion Reef Gold Mines of India, Ltd.
Gorgaum Gold Mining Co., Ltd.
Nandidrug Mines, Ltd.

Each of them carries on mining operations over a number of blocks. An agreement to lease and deed of variation, and a lease have been executed in respect of each block and one of the agreements to lease and deed of variation relating to East Byatarayaswami block also purports, in addition to varying the original lease, to extend the period of the current lease from 4-9-1939 to 21-3-1940.

All the agreements to lease and deeds of variation will be stamped under Art.4(c) and 28(5) of Schedule 1(A) of the Stamp Regulation and the stamp duty payable on the leases themselves will be fixed at 12 annas under proviso to Art.28 of Schedule 1(A) of the Regulation. The agreement relating to the East Byatarayaswami block will bear an additional advalorem stamp duty calculated in accordance with Art.28(a)(1) of the Schedule

As regards the valuation of the documents for purposes of stamp duty, it has to be determined by me having regard to all the circumstances of the case on the basis of the amount likely to be payable by the companies to the Government under the leases. The payments consist of ground rent, cesses, basic royalty on the net proceeds on ores Etc and supplemental royalty on

on dividends or adjusted profits. In regard to the latter two items, the figures furnished by the Companies for 1934 will be accepted. As information is not available as regards the royalty and supplemental royalty paid to Government in respect of each block separately, it is not possible to allocate to each block the exact amount of royalty ~~xxxxxxxxx~~ recoverable on it. The entire amount of royalty payable by each of the Companies will therefore be distributed among the several blocks in proportion to the size of the blocks and this amount is, for purposes of stamp duty, taken as representing the royalty derivable from the block.

On the above basis the stamp duties payable in respect of the agreements to lease and deeds of variation and the leases are calculated and are shown in the appendix to this order. The total amount payable is Rs.115635-8-0 (One lak fifteen thousand and six hundred and thirty five rupees, eight annas only).

Sd. K.V. Anantharamar

Deputy Commissioner,
Bangalore District.

SS/-17-5-39

Confidential

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

No. P 1975 Law 140-3456 Dated, Bangalore, 19th Sept. 1935

Enclosure

From

The *General Secretary to the Government of His Highness the Maharaja of Mysore.*

To

The Deputy Commissioner, Bangalore District.

Sir,

With reference to your letter No. S.D.R. No. 89 of 1934-35 dated the 30th July 1935 regarding the stamp duty paid on the documents executed in connection with the renewal of the Kolar Gold Mining leases, I am directed to say that now that you have given your decision in the matter and the Stamp Duty has been accordingly paid, there is no need to enter into any further correspondence with the Solicitors. The Solicitors may however correspond with Government, should they wish to secure any additional information.

I am however to append herewith for your information a statement showing the actual amounts of basic royalty and royalty on dividends paid by the four companies during the calendar year 1934. The royalty on dividends paid is only two thirds of that which the Companies have to pay after 1940 and consequently for purposes of calculating stamp duty it is one and half times the actual royalty on dividends paid during 1934 which has to be taken as the supplemental royalty under the renewed lease.

I have the honor to be,

Sir,

Your most obedient servant,

ML

for General Secretary to Government.

TSD

C.R.G.2

6

G. R. S. App. F. G. 3.

GENERAL AND REVENUE SECRETARIAT.

(*Continuation sheet draft form.*)

Nop 1975 Law 140-34-6
Enclosure of 20-9-35
Contd

The Deputy Com
Bangalore

Sir,

With reference to your letter No. S.D.R. No 89/34.35 dated 30. July 1935 regarding the stamp duty paid on the ~~Kolar Mining leases~~ documents executed in connection with the renewal of the Kolar gold mining leases, I am directed to say that ~~since~~ now that you have given your decision in the matter and the stamp duty has been accordingly paid, there is no need to enter into any further correspondence with the Solicitors, ~~or~~ ~~on the ground reasons for your decision~~ or ~~and much less~~ to explain to

The articles may have reached with Govt; please they in because any additional information.

WD 0436—GPB—10,000—17-10-33

~~them the grounds for your decision.~~

I am however to attend herewith for your information a statement showing the actual amounts of basic royalty & ~~supplemental~~ royalty on dividends paid by the four companies during the Calender year 1934. The ~~Sup~~ royalty on dividends paid is only two thirds of that which the Companies have to pay after and consequently for purposes of calculating stamp duty it is one & half times the actual royalty on dividends paid during 1934 which has to be taken as the supplemental royalty under the renewed lease.

I have etc

Gousey

MM
3/8

Statement.

No.	Name of the Company.	Basic Royalty Rs.	Royalty on Dividends. Rs.	Total
1.	The Mysore Gold Mining Company.	4,18,221	1,52,954	5,71,175
2.	The Champion Reef "	3,02,614	1,51,840	4,54,454
3.	The Oorgaum "	2,29,031	38,064	2,67,095
4.	The Nandydrug "	5,10,113	7,04,626	12,14,739
	Total	14,59,979	10,47,484	25,07,463

C.R.G.2

For General Secretary.
TSD

9

MORESBY & THOMAS.
SOLICITORS, NOTARIES
AND COMMISSIONERS FOR OATHS.
PARTNERS:
A. E. S. THOMAS
H. M. SMALL, M.A., LL.B.
TELEGRAPHIC ADDRESS:
"CLAMOR," MADRAS.
CODE:
A.B.C. 5TH EDITION.
TELEPHONE NO. 2026.

High Court House,
Madras,
17th Septr. 193

18 SEP 19
BANGALORE DIST.

From
Messrs. Moresby & Thomas,
Solicitors & Notaries,
High Court House, Madras.

To
The Dy. Commissioner,
Bangalore District,
Bangalore City.

Sir,

New Kolar Leases.

With reference to our letters of the 16th July and 27th ultimo we regret you have not yet furnished us with the figures relating to royalty and supplemental royalty. Will you kindly expedite their despatch as our clients have written for them urgently. Please treat the matter as urgent.

Note
Reply due
from Govt.
1949

We have the honor to be,
Sir,
Your obedient servants,
Moresby & Thomas